

HOUSE BILL NO. 384

INTRODUCED BY T. FACEY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO SURVEY SCHOOL DISTRICTS REGARDING DISTRICT BUILDING USE; REQUIRING A SCHOOL DISTRICT TO FILE THE SURVEYS ON THE USE OF DISTRICT BUILDINGS WITH THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND WITH THE COUNTY SUPERINTENDENT; ALLOWING A PERSON TO CHALLENGE THE INFORMATION ON A SCHOOL DISTRICT SURVEY; REQUIRING A SCHOOL DISTRICT TO RESPOND TO A CHALLENGE; SUPERSEDING THE UNFUNDED MANDATE LAWS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. School buildings survey. (1) On November 1 of each school year, the superintendent of public instruction shall send a survey to every school district asking for information on school building use. A school district shall complete a survey for each school building within the district. Surveys must be returned to the superintendent by December 1.

(2) Information to be reported on the survey must include but is not limited to:

- (a) the amount of actual space within a building that is used for instruction during a school day;
- (b) a brief description of the space used for instruction;
- (c) the amount of actual space within a building used for administration;
- (d) any income derived from the lease or rental of school buildings; and
- (e) any other information that the superintendent considers necessary.

(3) In addition to filing the surveys with the superintendent of public instruction, a school district shall also file its surveys with the county superintendent.

(4) (a) Any person has the right to challenge the information reported on a survey by a school district. The challenge must contain specific charges and must be made in writing to the school district.

(b) A school district shall respond to the challenge within 30 days of the receipt of the challenge. In response, the school district shall either revise the information on the survey or provide evidence that supports the district's position.

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2 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
3 integral part of Title 20, and the provisions of Title 20 apply to [section 1].

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5 NEW SECTION. **Section 3. Unfunded mandate laws superseded.** The provisions of [this act]
6 expressly supersede and modify the requirements of 1-2-112 through 1-2-116.

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8 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2001.

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